

<b>Acknowledgment of Receipt</b>	
(For WIA program participants and staff only. Please sign, detach and return to be placed in participant or personnel file.) I have received a copy of the WIA Complaint/Grievance Procedure pamphlet, have been given an opportunity to ask questions and by my signature below, I declare that I fully understand the procedure.	
Signature	Date
Parent/Legal Guardian Signature	
Signature of WIA Staff Issuing Pamphlet	

**INTRODUCTION**

This brochure describes the complaint and grievance process for programs and activities conducted by the Division of Workforce Development (DWD) statewide program operators. Four types of complaints are covered by this brochure:

- (1) Discrimination Complaints;
- (2) Program Complaints;
- (3) Labor Standard Complaints; and
- (4) Criminal Complaints

Other than the following paragraphs applicable to all complaints, the method(s) for filing a complaint of each of these types is separately addressed in this brochure.

**ALL COMPLAINTS**

Any complaint must be submitted in writing and signed by the complainant or complainant’s representative and filed with the Equal Employment and Compliance (EE & C) Unit of the St. Louis Agency on Training and Employment (SLATE) Career Center. It should include: your name; address and telephone number (or specify another means of contacting you), a detailed description of the complaint incident(s) indication when, where and what acts comprise the basis of the complaint, individual name(s) or organization(s) responsible, and what relief is sought. Such complaint or grievance must be formally filed with SLATE Career Center within one (1) year (365 days) of the alleged occurrence, with the exception of complaints alleging fraud and abused and/or criminal activity.

NOTE: Prior to filing a formal, written complaint/grievance with the EE & C Unity of SLATE Career Center, persons are strongly encouraged to informally resolve any disputes, by way of consultations with one’s supervisor, instructor, or the appropriate authority of the subcontractee (employers, agency, or organization). All steps in the subcontractee’s, or where applicable, the employer’s complaint/grievance procedures should be followed and exhausted before any formal complaint/grievance is filed, in writing, with SLATE Career Center’s EE & C Unit.

**DISCRIMINATION COMPLAINTS**

Applicants, eligible applicants, participants, applicants for employment, employees and members of the public including those with disabilities, and unions or professional organizations holding collective bargaining or professional agreements with DWD may file discrimination complaints using the following procedure. Exhaustion of the state’s administrative remedies is recommended for expediency in complaint resolution.

**EQUAL OPPORTUNITY IS THE LAW**

It is against the law for this recipient of Federal financial assistance to discriminate on the following basis:

Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and

Against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary’s citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

Deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity;

Providing opportunities in, or treating any person with regard to, such a program or activity; or

Making employment decisions in the administration of, or in connection with, such a program or activity.

**WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION**

If you think that you have been subjected to discrimination under a WIA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

Juanita J. Davis, Equal Opportunity Officer  
Missouri Division of Workforce Development  
Department of Economic Development  
P.O. Box 1087  
Jefferson City, Missouri 65102-1087  
Phone: (573) 751-3193 Fax: (573) 751-4088  
OR

The Director, Civil Rights Center (CRC)  
U.S. Department of Labor  
200 Constitution Avenue NW, Room N-4123  
Washington, DC 20210

If you file your complaint with the recipient (DWD), you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before

filing with the Civil Rights Center (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint within 30 days of the date on which you received the Notice of Final Action.

**RELIGIOUS ACTIVITIES**

Participants may not be employed under WIA to carry out the construction, operation or maintenance of any facility that is used or is to be used for religious instruction or worship. Participants who believe that they are being employed in violation of this prohibition may file a complaint in the same manner and subject to the same procedures as in the section, “What To Do If You Believe you Have Experienced Discrimination.”

**PROGRAM COMPLAINTS**

If you believe you have been unjustly denied any benefit or service allowed under the Workforce Investment Act (WIA) or have reason to believe any of the following situations has occurred: a violation of the Act, federal regulations, as well as those arising from actions such as a state level audit finding or disallowance, or the imposition of sanctions taken by the Governor with respect to state audit finds, investigations or monitoring reports;

The Workforce Investment Act requires that statewide program operator procedures (Steps 1 and 2) must first be exhausted before a complaint may be escalated to the State (DWD). Likewise, State level procedures must be exhausted before escalating a complaint to the U.S. Department of Labor except in complaints alleging discrimination.

**NON-PARTICIPANT COMPLAINTS**

The Workforce Investment Act permits program operators, contractors, grantees, subgrantees, subrecipients, subcontractors, and any other interested party to file grievances about programs or activities under the law using this procedure.

**PARTICIPANT COMPLAINTS**

During orientation, participants are informed whether they will file any employment-related complaint through their employer’s grievance procedure or the DWD program operator’s procedures, as described in Step 1 and 2. If the employer’s procedure is used, the time frames and steps contained therein will be adhered to.

For all non-employment related grievances or if a participant is unable to satisfactorily resolve any employment related grievance with his/her employer, the participant must utilize the procedures contained in this brochure to seek further resolution.

*STEP 1:* The complainant will file the grievance in writing with the program operator. The program operator has seven (7) days from the date the written grievance is received to investigate and provide a written decision to the complainant and respondent.

*STEP 2:* If the decision fails to satisfactorily resolve the grievance, the complainant has five (5) days from the receipt of the program operator’s decision to present a written request for an impartial hearing and review of the decision. The program operator must ensure that a qualified hearing office conducts an impartial hearing, within thirty (30) days of the original receipt of the written grievance. The complainant and respondent (if not the program operator) will be provided with a written notice of the date, time, and place of the hearing and all parties will have the opportunity to present evidence and to be represented by an attorney. The hearing officer is to present a written decision to the program operator, which in turn issues its decision to the complainant/respondent. In any case, the program operator must issue a written decision within sixty (60) days of its original receipt of the written grievance. If the decision fails to satisfactorily resolve the grievance, a party to the grievance may request a State review under the procedures outlined in Step 3.

*STEP 3:* To request a State review, the disappointed party must submit its request, in writing, to:

Division of Workforce Development  
421 E. Dunklin, P.O. Box 1087  
Jefferson City, MO 65102

This written request must be received by DWD not more than ten (10) days after the disappointed party receives the written decision from the program operator or, if no decision was rendered, within fifteen (15) days of the date on which the decision should have been received (60 days from date initially filed).

Its own staff, a licensed attorney through an impartial hearing or any other means of independent review or investigation, may conduct the review process performed by DWD. DWD will provide a written final decision to the

parties within sixty (60) days of the date that the request for review was received.

**APPEALS TO THE SECRETARY OF LABOR**

Should DWD fail to issue a written final decision within sixty (60) days of receipt of the request, the disappointed party may request from the Secretary of Labor a determination as to whether reasonable cause exists to believe that the Act or its regulations have been violated.

This request must be filed within sixty (60) days of the date the final decision should have been issued from DWD. The complaint should contain the following:

- (1) The full name, address, and telephone number of the person making the complaint;
- (2) The full name, address, and telephone number of the respondent against who the complaint is made;
- (3) A clear and concise statement of the facts, including pertinent dates, constituting the alleged violation;
- (4) The provision(s) of the Act or regulation believed to have been violated;
- (5) A statement disclosing whether any other proceeding involving the subject of the request have been commenced or concluded before any Federal, State, or local authority and, if so, the date of such commencement or conclusion, the name and address of the authority and style of the case; and
- (6) A statement of the date the complaint was filed with DWD, the date on which DWD should have issued a final decision, and an attestation that no decision was issued.

A request will be considered to have been filed when the Secretary receives from the disappointed party a written statement sufficiently precise to evaluate the complaint and the grievance procedure utilized by the State and Statewide program operator.

**LABOR STANDARD COMPLAINTS**

Complainants may:

- (a) Exhaust the non-criminal administrative process by submitting the complaint directly to DWD for review and disposition within sixty (60) days; or
- (b) Submit the grievance to a binding grievance procedure if a collective bargaining agreement covering the parties so provides. If sixty (60) days expires with no decision or an adverse decision is rendered, the complaint may be submitted to the U.S. Department of Labor that may change, reverse or issue a final decision.

**CRIMINAL COMPLAINTS**

Complaints alleging fraud, abuse or criminal activity must be immediately reported to the Department of Labor, Office of Inspector General-Investigation, 200 Constitution Ave. NW, Washington, DC 20510-55514. The hotline

number is 1-800-347-3756. The required incident report forms are available through the program operator or from DWD. Program operators must simultaneously notify DWD of the filing of any incident report with the Office of Inspector General.

**NON-WIA REMEDIES**

In any case where the alleged violation of the Act or regulations is also an alleged violation of another law, nothing in the process shall prohibit an individual or an organization from filing a complaint or grievance with the appropriate authority under that law.

**PROHIBITION AGAINST REPRISAL**

No person, organization or agency may discharge or in any other manner discriminate or retaliate against any person or deny to any person a benefit to which that person is entitled because such person has filed any complaint, instituted or caused to be instituted any proceedings under or relating to the Act, has testified or is about to testify in any proceedings or investigation or has provided information or assisted in any investigation.

**CONFIDENTIALITY OF INFORMATION**

The identity of any person who has furnished information relating to or assisting in the investigation of a possible violation of the Act shall be kept confidential to the extent possible consistent with the need to conduct a fair review of the issues.

For further information or assistance, please telephone or write to your WIA contact person listed below.

Geraldine Wasniewski  
St. Louis Agency on Training and Employment  
1017 Olive St.  
St. Louis, MO 63101  
(314) 589-8000  
TTY (314) 622-4383

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Alternate formats for non-English speaking individuals available upon request.

**Workforce Investment Act (WIA)**

St. Louis Agency on Training and  
Employment (SLATE)  
Career Center



**Complaint/  
Grievance  
Procedures**



*City of St. Louis*